

12
39. (Three Times Amended) An isolated 1.0 kB SmaI/SmaI fragment encoding an antigenic portion of HCMV pp28 that elicits antibodies that immunologically bind to pp28.

13
45. (Amended) The prokaryotic expression vector of claim 19, wherein said prokaryotic expression vector comprises a 1.0 kB SmaI/SmaI fragment of HCMV.

14
50. (Amended) The prokaryotic cell of claim 21, wherein said DNA molecule comprises a 1.0 kB SmaI/SmaI fragment of HCMV.

15
58. (Amended) The eukaryotic cell of claim 54, wherein said DNA molecule comprises a 1.0 kB SmaI/SmaI fragment of HCMV.

Please cancel claims 44, 53, and 61 and enter new claims 62-72 as follows:

16
-- 62. (New) An isolated 0.5 kB KpnI/SmaI fragment encoding an antigenic portion of HCMV pp28 strain Ad 169 that elicits antibodies that immunologically bind to pp28.

63. (New) An isolated 1.0 kB SmaI/SmaI fragment encoding an antigenic portion of HCMV pp28 strain Ad 169 that elicits antibodies that immunologically bind to pp28.

Sub 84
64. (New) The prokaryotic expression vector of claim 19, wherein said prokaryotic expression vector comprises a 1.0 kB SmaI/SmaI fragment of HCMV strain Ad 169.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Sub 84
65. (New) The prokaryotic expression vector of claim 19, wherein said prokaryotic expression vector comprises a 0.5 kB KpnI/SmaI fragment of HCMV strain Ad 169.

66. (New) The prokaryotic expression vector of claim 19, wherein said prokaryotic expression vector comprises a 0.5 kB SmaI/KpnI fragment of HCMV strain Ad 169.

16
67. (New) The prokaryotic cell of claim 21, wherein said DNA molecule comprises a 1.0 kB SmaI/SmaI fragment of HCMV strain Ad 169.

68. (New) The prokaryotic cell of claim 21, wherein said DNA molecule comprises a 0.5 kB KpnI/SmaI fragment of HCMV strain Ad 169.

69. (New) The prokaryotic cell of claim 21, wherein said DNA molecule comprises a 0.5 kB SmaI/KpnI fragment of HCMV strain Ad 169.

70. (New) The eukaryotic cell of claim 54, wherein said DNA molecule comprises a 1.0 kB SmaI/SmaI fragment of HCMV strain Ad 169.

71. (New) The eukaryotic cell of claim 54, wherein said DNA molecule comprises a 0.5 kB KpnI/SmaI fragment of HCMV strain Ad 169.

72. (New) The eukaryotic cell of claim 54, wherein said DNA molecule comprises a 0.5 kB SmaI/KpnI fragment of HCMV strain Ad 169. --

REMARKS

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com